

in the next place, it is far too short a time for any man, whoever he may be, unacquainted as he must be with the wants of the counties and the system of school education, as it has been conducted in this State—it is far too short a time for any man to devise and perfect a system of education. I therefore propose to amend this section, so as to require the governor to appoint within ten days after the commencement of the first session of the general assembly under this constitution. This will give the governor the time intervening between the adoption of this constitution and the first of January, when the general assembly will meet, in which to receive applications and to inquire into the merits of the various parties who may apply for this office. Ten days, it seems to me, is too short a time for the governor to do that in.

And then I would amend the other part of this section so as not to require this superintendent to make his report to the legislature within thirty days after the commencement of its first session, but I would allow him more time to make up that system which is to become the law of the land if the general assembly should not adopt it. I would give him at least a year to do it in. We have gone on for some time with the system of public schools we now have, and have got along tolerably well under it. There need not be this hot haste. If a year elapses, and we then get a better system by it, the people of the State will be benefited.

The PRESIDENT. I cannot see what authority this convention has to prescribe any system without the interposition of the legislature. According to this report, if the legislature shall fail to act, this system devised by the superintendent becomes the system.

Mr. MILLER. The fifth section provides that this system shall be reported by the State superintendent to the general assembly. And if they do not adopt that system, or provide another in its place, then "the system reported to it by the State superintendent of public instruction shall become a law, and have full effect as if enacted by the general assembly. The views which seem to be entertained by the committee of education are that this superintendent might do this important work at this time within this limited period of time, thirty days. I hold that the best man in the United States, being appointed to the office within ten days after the ratification of this constitution, could not in thirty days get up a proper system of school education. I therefore move to strike out the words "ratification by the people of this constitution," and insert the words "commencement of the first session of the general assembly under this constitution."

Mr. CUSHING. That amendment will entirely destroy the whole object of the report, or at least many of its most prominent fea-

tures. It will throw back the whole system of public school education to where it is now, and there is no probability that during any reasonable time the State of Maryland will have a public school system. The whole object of making this appointment of the State superintendent before the meeting of the legislature is that he may have time to prepare a report to present to that legislature. This amendment entirely defeats that object. The object of making this appointment so soon was that he should have the three or four months which may intervene between his appointment and the meeting of the legislature to digest and prepare a report for the legislature, so that the legislature should have some data upon which to go to work, should have the information which this State superintendent may have collected during these four months. But according to the amendment of the gentlemen from Anne Arundel (Mr. Miller) you throw the legislature at once into a discussion of the system without any data whatever, and without any report to work upon; and the legislature would not agree upon anything, as they have not done heretofore. The only practical difficulty is the construction which the governor would put upon the words "by and with the advice and consent of the senate." And if you insert after the word "senate," the words "at its first session thereafter," then it might be held to mean that the governor should not appoint until the senate had commenced that first session.

Mr. SANDS. I think there is something eminently wise in the suggestion of my friend from Anne Arundel (Mr. Miller) touching this time of ten days; unless we are to suppose that in the executive mind the individual who is to be intrusted with this office has already been selected; and that the people from the State at large are not to present their claims, and the evidences of their qualifications. I think thirty days would be better; ten days are too short. The executive would want time to give public notification that he was ready to receive applications, and hear evidences of qualifications in regard to parties applying. Or the constitution would perhaps notify the parties of the State who intended to apply for this office that they would have to do so in thirty days. Then their applications would be made, and ought to be accompanied in every case by testimonials of character and capability. We are not to suppose that the executive of the State is himself qualified to look around in the crowd and at once say—"that is the man for the place." He wants to hear from the people of the State, through the testimonials they send, of the proper qualifications of the applicants. I therefore move to strike out "ten" and insert "thirty."

Mr. SCHLEY. I should like to have this read a little more regularly, which can be